

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**CARLTON SANDERS and  
STEPHEN H. SMITH as Chapter 7 Bankruptcy  
Trustee for CARLTON SANDERS**

**PLAINTIFFS**

**VS**

**CIVIL ACTION NO. 3:19-CV-721-DPJ-FKB**

**KOCH FOODS, INCORPORATED;  
KOCH FARMS OF MISSISSIPPI, LLC, and  
KOCH FOODS OF MISSISSIPPI, LLC**

**DEFENDANTS**

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**KOCH FOODS, INC.; KOCH FARMS OF MISSISSIPPI, LLC; AND KOCH FOODS OF  
MISSISSIPPI, LLC’S MOTION FOR SUMMARY JUDGMENT**

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Koch Foods, Inc.; Koch Farms of Mississippi, LLC; and Koch Foods of Mississippi, LLC (collectively, “Koch”), submits its Motion For Summary Judgment. In support thereof, Koch relies on its separately filed Brief in Support as well as the following exhibits:

- Exhibit A: Deposition of Ronnie Joe Keyes
- Exhibit B: 2015 Broiler Grower Agreement for Carlton Sanders Farm
- Exhibit C: 2013 Broiler Grower Agreement for Cory Sanders Farm
- Exhibit D: Deposition of Joseph Bergin
- Exhibit E: Deposition of Todd Williams
- Exhibit F: Declaration of Ronnie Joe Keyes
- Exhibit G: Deposition of Carlton Sanders
- Exhibit H: February 2, 2015 Letter
- Exhibit I: Photographs of dead chicks
- Exhibit J: February 26, 2015 Letter
- Exhibit K: Catch Schedules

Exhibit L: Broiler Service Reports

Exhibit M: November 4, 2015 Letter

Exhibit N: September 20, 2018 Affidavit of Carlton Sanders

Exhibit O: March 24, 2016 Affidavit of Carlton Sanders

Exhibit P: Deposition of Wayne Basford

Exhibit Q: March 1, 2016 Letter

Exhibit R: 2006 Broiler Grower Agreement for Carlton Sanders Farm

Exhibit S: October 31, 2006 Letter

Exhibit T: Proofs of Claims filed in Carlton Sanders Bankruptcy

Based on the foregoing, Koch requests that the Court grant its Motion For Summary Judgment.

Respectfully submitted December 16, 2021.

BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC,

s/ Scott W. Pedigo  
Scott W. Pedigo

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of Mississippi, LLC; and Koch Foods of  
Mississippi, LLC*

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this day filed a copy of the foregoing using the Court's ECF system, which sent notice to all counsel of record.

This the 16th day of December 2021.

s/ Scott W. Pedigo  
Scott W. Pedigo